

SEVENTEENTH DAY

(Wednesday, February 12, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Strauss
Hardeman	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Lane	York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Crawford, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Knight was granted leave of absence for today on account of illness on motion of Senator Phillips.

Senators Ramsey, Harris and Stewart were granted leaves of absence for today on account of important business on motion of Senator Morris.

Reports of Standing Committees

Senator Morris submitted the following report:

Austin, Texas,
February 11, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on Highways and Motor Traffic, to whom was referred Senate Bill No. 177, instructs me to report it back to the Senate with the recommendation that it do pass and be not printed.

MORRIS, Chairman.

Senator Carney submitted the following reports:

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 38, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 19, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 128, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 50, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 51, have had same under consideration, and I am instructed to report it back to the Senate

with the recommendation that it do pass, and be printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 124, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 110, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 86, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 137, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 33, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the attached committee substitute do pass in lieu thereof, and be printed.

CARNEY, Chairman.

C. S. S. B. No. 33 was read first time.

Austin, Texas,
February 10, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred House Bill No. 271, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred House Bill No. 70, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

CARNEY, Chairman.

Senator Moffett submitted the following reports:

Austin, Texas,
February 11, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 1440, instructs me to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOFFETT, Chairman.

Austin, Texas,
February 11, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 138, instructs me to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Chairman.

Austin, Texas,
February 11, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 143, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,
February 11, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 188, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,
February 11, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 53, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,
February 11, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 150, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Jones submitted the following reports:

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred Senate Bill No. 70, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred Senate Bill No. 171, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JONES, Chairman.

Austin, Texas,
February 12, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred Senate Bill No. 185, have had same under consideration and I instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 11, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

S. B. No. 37, Relative to filing date of application for state aid; etc., and declaring an emergency.

H. C. R. No. 8, Memorializing the Congress of the United States to enact legislation relative to claims of Americans who were internees or prisoners of war of Japan or Germany.

H. B. No. 231, A bill to be entitled "An Act to amend Article 1970-138, being the Acts of 1917, Ch. 93, Sec. 11, as amended by the Acts of 1918, 4th C. S., Ch. 14, Sec. 4, as amended by the Acts of 1927, Ch. 191, Sec. 1, so as to provide that the salary of the Judge of the County Court at Law of El Paso County shall be Fifty-five Hundred Dollars (\$5,500.00) annually."

H. B. No. 243, A bill to be entitled "An Act fixing the jurisdiction of the County Court of Panola County, Texas, and the District Court of Pan-

ola County, Texas; making transfers of all cases on the dockets of said courts to conform to this Act; providing that this Act shall not affect judgments heretofore rendered by said courts, and for issuing executions thereon; describing the duties of the clerk of said courts in making transfers of all cases on the dockets of said courts, and validating all of such acts; repealing the Acts of 1941, Forty-seventh Legislature, page 31, Chapter 18, being otherwise known as Article 170-323 of Vernon's Annotated Civil Statutes; and repealing all other laws and parts of laws in conflict herewith; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bills on First Reading

The following bills were introduced, read severally first time, and referred to the committees indicated:

By Senator Strauss:

S. B. No. 209, A bill to be entitled "An Act amending Article 6372, Revised Civil Statutes of Texas of 1925, requiring every railroad corporation, receiver or lessee operating any line of railroad in this State, to equip all locomotive engines, with certain exceptions, and all cars and coaches with electric lights and reflectors; prescribing the kind of lights and reflectors required to be used and the manner in which same shall be used; providing a penalty; and declaring an emergency."

To Committee on Labor.

By Senator Strauss:

S. B. No. 210, A bill to be entitled "An Act to define license and regulate the business of making loans or advancements in the amount or of the value of six hundred (\$600.00) dollars or less, secured or unsecured; making findings of fact and statement of policy; providing certain exemptions; providing that a license to engage in such business shall be obtained from and may be revoked by the Banking Commissioner of Texas, and for judicial review of his decisions and findings and for certain examination and license fees to be charged by said Commissioner; providing that each applicant shall have certain qualifications and that licenses shall

be granted without investigation to those in said business on January 1, 1947, and shall file a bond in the sum of one thousand (\$1,000.00) dollars; defining certain terms; defining interest and limiting the rates of interest and amounts of expense charges in connection with such loans or advancements and penalties for the violation thereof; declaring such charges to be prima facie reasonable; regulating the purchase of assignment of wages, salaries, commissions or other compensation for services earned or to be earned, when given as security for any such loan, or as consideration for a payment of six hundred (\$600.00) dollars or less; providing that the borrower shall be informed of the cost of the loan and the elements of such cost; providing for the administration of this Act and for the issuance of rules and regulations therefor; authorizing the making of examinations and investigations and charges therefor and the publication of reports thereof; prohibiting the publication of false or misleading statements or misrepresentations by licensees; providing that the violation of certain provisions of this Act shall constitute a misdemeanor and shall be punishable by fine of not more than five hundred (\$500.00) dollars or by imprisonment of not more than six (6) months, or by both such fine and imprisonment and shall render the contract of loan void; providing for the repeal of Article 6165a of Title 107, Section 14 of Article 7047 of Title 122, entitled 'Loan Brokers,' and Section 15 of Article 7047 of Title 122, entitled 'Money Lenders' of the Revised Civil Statutes of Texas, and Article 1129a, Title 14 of Chapter 12 of the Penal Code defining, regulating and taxing loan brokers; repealing Article 5069a, 5071, 5073, Title 79, Revised Civil Statutes of Texas insofar as they are inconsistent with this Act; and providing for the repeal of all acts and parts of acts, whether general, special or local, which relate to the same subject matter as this Act so far as they are inconsistent with the provisions of this Act; providing this Act shall be void as a whole if any part thereof held unconstitutional; and declaring an emergency."

To Committee on Banking.

By Senator Winfield:

S. B. No. 211, A bill to be entitled

"An Act amending Chapter 150, Acts of the Regular Session of the Forty-seventh Legislature, entitled 'An Act authorizing counties having an assessed valuation of not less than Twenty Million (\$20,000,000.00) Dollars and a population of not more than three (3) persons per square mile to vote, levy, assess and collect a County-wide School Maintenance Tax; providing for the apportionment and administration thereof; making other provisions related to such subject; repealing all laws in conflict herewith to the extent of such conflict; specifically repealing Chapter 7, 43rd Legislature, First Called Session and Chapter 54, 45th Legislature, with the provision that such repeal shall not affect taxes heretofore levied thereunder, validating all acts done, elections held, for any purpose which are authorized by this Act, and validating taxes levied in such counties; and declaring an emergency'; containing a validating provision; and declaring an emergency."

To Committee on State Affairs.

By Senator Proffer:

S. B. No. 212, A bill to be entitled "An Act to amend Section 37 of House Bill 611, being Chapter 562 page 914, General and Special Laws of the State of Texas, 47th Legislature, Regular Session, 1941, as amended; extending the authority of the field workers of the Department of Public Welfare in administering oaths and taking acknowledgments; providing a repealing clause, a saving clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Vick:

S. B. No. 213, A bill to be entitled "An Act to amend Article 4698a, Chapter 160, page 207, Acts of 1945, 49th Legislature, concerning the regulation of casualty insurance rates, by adding motor vehicle insurance thereto, amending the Article in other particulars, and repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

To Committee on Insurance.

Message from the Governor

The President laid before the Senate and had read at this time, the following message received from the Governor today:

Austin, Texas,
February 11, 1947.

To the Members of the Fiftieth Legislature:

Thousands of our young men and women of Texas, veterans of World War II, are crowding into our higher educational institutions under the educational provisions of the G. I. Bill of Rights. This influx began almost a year ago and is steadily increasing.

According to the United States Veterans Administration some 5,000,000 certificates of eligibility for educational benefits under the G. I. Bill of Rights have been issued, and this figure is increasing at the rate of approximately 15,000 per day. The United States Office of Education reports that at present slightly more than 2,078,000 students are registered in higher educational institutions in this country, of which slightly more than 1,080,000 are veterans. This means that 52% of the students enrolled are veterans. Three-fourths of the veterans enrolled are at the freshman and sophomore levels at the present time according to the American Council on Education, and as these progress more veterans will come into the earlier years. Reports also show that the number of high school graduates is on the increase. State and Federal authorities, therefore, are agreed that the peak of veteran enrollment will not be reached until 1949 or 1950, some think as late as 1951.

The best predictions available from all sources show the feeling on the part of educators that the large increases in enrollment in our higher educational institutions will be maintained, particularly in the larger institutions and, in most instances, the enrollments will continue to grow; the recent sharp increases only bringing enrollments to the point where they would normally have been at this time had World War II not occurred.

For obvious reasons it was not possible during the war years for our State higher educational institutions to erect buildings. The Legislature, being aware of this situation, appropriated no money for the erection of buildings at these institutions. As a result, most of our institutions are now finding it almost impossible to care for heavy enrollments, even in a make-shift manner, and certainly not with the degree of adequacy

which the people of Texas desire and our veterans deserve. In many of our institutions classes are being scheduled from early morning until late at night, classes are often badly overcrowded, and in certain courses registrations are necessarily limited because of the lack of instructional facilities, particularly classrooms and laboratories.

This whole matter is of greatest importance to the State, and I strongly recommend to you ladies and gentlemen of the Fiftieth Legislature that steps be taken as quickly as possible to alleviate as far as possible the conditions described. Specifically, I wish to endorse wholeheartedly the proposed Constitutional Amendment which has been prepared by the higher educational institutions of the State. This Constitutional Amendment would provide ways and means of securing, at the earliest possible date, adequate buildings and related equipment for these institutions without the imposition of an additional tax. Many of these buildings can be erected in time to be of benefit to the largest number of our veterans, and the interested institutions have assured me that this program will satisfy their building needs without the necessity of asking for additional funds for this purpose for the period contemplated by the Amendment.

The proposed Constitutional Amendment would dedicate five cents of the thirty-five cent state ad valorem tax for the use of fourteen of our higher educational institutions, and will also permit The University of Texas and Texas A. and M. College to issue bonds to be retired from the income from the Permanent University Fund, a procedure which was followed so successfully in the early 1930's. Proceeds from the five-cent allocation would support between \$12,000,000 and \$13,000,000 worth of 10-year bonds for the fourteen higher educational institutions, the division of the proceeds to be in accordance with a plan agreed upon by these institutions and based upon enrollments. At the end of the first 10-year period, and again at the end of the second 10-year period, re-allocation of the proceeds will be made upon the basis of enrollments, thus making the entire plan extend over a period of thirty years with an approximate total available to these institutions of between \$36,000,000, and \$39,000,000. Most

of our higher educational institutions have been in serious need of buildings for many years, the total amount appropriated by the Legislature for this purpose between September 1, 1925 and August 31, 1947 being just slightly under \$6,000,000. The amount provided in the proposed bond issue is needed in view of the building lag, particularly over the war years, and the increasing demand for education at the higher levels by young men and women of Texas.

A significant provision in the proposed Constitutional Amendment would prevent these institutions from receiving any money for the construction of buildings out of the General Revenue Fund for the thirty year period. The Constitution now prohibits The University of Texas and A. & M. College from receiving any money for buildings from the General Revenue Fund, and the proposed bond issue for these two institutions is essential to their present needs and their future growth. The proposed Constitutional Amendment will provide an orderly and systematic building program for all our higher educational institutions which are of such great importance to Texas. It provides additional building funds for higher education in Texas rather than seeking to divide educational building funds already set aside by the Constitution of Texas. It is indeed significant that the plan devised is the product of coordinated study and planning by all of our higher educational institutions in the light of their individual needs as well as the needs of the entire group. Such cooperation is essential to a well-ordered development of our higher educational system.

I strongly urge speedy consideration and passage of this plan so that the people of Texas will have the opportunity of approving it at the earliest possible time.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

Senate Bill 177 on Second Reading

Senator Morris moved that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 177 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Strauss
Hardeman	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Lane	York

Absent—Excused

Harris	Ramsey
Knight	Stewart
Mauritz	

On motion of Senator Morris, and by unanimous consent, the Senate Rule requiring committee reports to lie over one day and printed copies of a bill to lie on the members' desks twenty-four hours before consideration of the bill, were severally suspended.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 177, A bill to be entitled "An Act authorizing counties or any political subdivisions of counties to make, and the State Highway Commission to accept, voluntary contributions of funds for expenditure by the State Highway Commission in the development of public roads in such counties or political subdivisions, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 177 on Third Reading

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 177 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Crawford
Brown	Hardeman
Bullock	Hazlewood
Carney	Jones
Chadick	Kelley of Hidalgo
Cousins	Lane

Moffett	Taylor
Morris	Tynan
Parrish	Vick
Phillips	Weinert
Proffer	Winfield
Stanford	York
Strauss	

Absent

Kelly of Tarrant

Absent—Excused

Harris	Ramsey
Knight	Stewart
Mauritz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Morris
Brown	Parrish
Bullock	Phillips
Carney	Proffer
Chadick	Stanford
Cousins	Strauss
Crawford	Taylor
Hardeman	Tynan
Hazlewood	Vick
Jones	Weinert
Kelley of Hidalgo	Winfield
Lane	York
Moffett	

Absent

Kelly of Tarrant

Absent—Excused

Harris	Ramsey
Knight	Stewart
Mauritz	

House Bill 123 on Second Reading

On motion of Senator Kelley of Hidalgo, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. No. 123, A bill to be entitled "An Act amending Sec. 1t, of Acts 1939, 46th Leg., Spec. L., p. 831, as amended by Acts 1941, 47th Leg., p. 445, ch. 281, Sec. 1, and Acts 1945, Reg. Ses. 49th Leg., ch. 110, p. 158, by thereto adding the counties of Frio, La Salle, Medina, McMullen, Uvalde and Zavala to make it therein lawful to capture, shoot or kill

collared peccary or javelina at any time; etc., and declaring an emergency."

The President laid the bill before the Senate on its second reading.

The bill was read second time and was passed to third reading.

House Bill 123 on Third Reading

Senator Kelley of Hidalgo moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 123 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Strauss
Hardeman	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Lane	York

Absent—Excused

Harris	Ramsey
Knight	Stewart
Mauritz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 170 on Second Reading

Senator Hazlewood moved that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 170 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Hardeman
Brown	Hazlewood
Bullock	Jones
Carney	Kelly of Tarrant
Chadick	Lane
Cousins	Moffett
Crawford	Morris

Parrish
Phillips
Proffer
Stanford
Strauss
Taylor

Tynan
Vick
Weinert
Winfield
York

Absent

Kelley of Hidalgo

Absent—Excused

Harris
Knight
Mauritz

Ramsey
Stewart

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 170, A bill to be entitled "An Act amending Section 16, House Bill No. 80, Acts of the 36th Legislature, Regular Session, 1919, by providing that the beginning of the fiscal year in so far as the levying, assessing and collection of taxes for the Dumas Independent School District of Moore County, Texas is concerned shall be the first day of January instead of the first day of August of each calendar year; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 170 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 170 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Morris
Brown	Parrish
Bullock	Phillips
Carney	Proffer
Chadick	Stanford
Cousins	Strauss
Crawford	Taylor
Hardeman	Tynan
Hazlewood	Vick
Jones	Weinert
Kelly of Tarrant	Winfield
Lane	York
Moffett	

Absent

Kelley of Hidalgo

Absent—Excused

Harris	Ramsey
Knight	Stewart
Mauritz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Strauss
Hardeman	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Lane	York

Absent—Excused

Harris	Ramsey
Knight	Stewart
Mauritz	

House Bill 70 on Second Reading

On motion of Senator Weinert, and by unanimous consent, the regular order of business and the Senate Rules requiring committee reports to lie over one day, were suspended to take up for consideration at this time:

H. B. No. 70, A bill to be entitled "An Act declaring open season on fox in Guadalupe County, Texas, etc."

The bill was read second time and was passed to third reading.

House Bill 70 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 70 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Chadick
Brown	Cousins
Bullock	Crawford
Carney	Hardeman

Hazlewood	Stanford
Jones	Strauss
Kelley of Hidalgo	Taylor
Kelly of Tarrant	Tynan
Lane	Vick
Moffett	Weinert
Morris	Winfield
Phillips	York
Proffer	

Absent

Parrish

Absent—Excused

Harris	Ramsey
Knight	Stewart
Mauritz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Strauss
Hardeman	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Lane	York

Absent—Excused

Harris	Ramsey
Knight	Stewart
Mauritz	

House Bills and Resolutions on First Reading

The following House bills and resolution received from the House today were laid before the Senate, read first time and referred to the committee indicated:

H. B. No. 231, to Committee on Civil Jurisprudence.

H. B. No. 243, to Committee on Civil Jurisprudence.

H. C. R. No. 8, to Committee on Veterans' Affairs.

Delegate to N. E. A. Conference

In accordance with the provisions of Senate Resolution No. 30, the Pre-

sident announced the appointment of Senator Proffer, as a delegate to the N. E. A. Conference.

Bill Recommitted

On motion of Senator Strauss, and by unanimous consent, Senate Bill No. 26 was recommitted to the Committee on Education.

Bills Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills:

S. B. No. 2, A bill to be entitled "An Act making appropriation for an increase in, and supplementing, the amounts of money set out and appropriated for the various State Departments for traveling expenses provided for in Senate Bill No. 317, Acts of the Regular Session of the Forty-ninth Legislature, beginning with the effective date of this Act and ending on August 31, 1947; and amending Section 2 of Senate Bill No. 317, Acts of the Regular Session of the Forty-ninth Legislature, so as to limit the traveling expenses of all State employees for meals and lodging at Six Dollars (\$6.00) per day beginning with the effective date of this Act and ending August 31, 1947; and declaring an emergency."

S. B. No. 7, A bill to be entitled "An Act making appropriation for an increase in salaries of State officials and State employees for the period beginning with the effective date of this Act and ending on August 31, 1947, supplementing the salaries designated and/or provided for in House Bill No. 173, Acts of the Regular Session of the Forty-ninth Legislature; and declaring an emergency."

S. B. No. 8, A bill to be entitled "An Act making appropriation for an increase in salaries of State officials and State employees for the period beginning with the effective date of this Act and ending on August 31, 1947, supplementing the salaries designated and/or provided for in House Bill No. 206, Acts of the Regular Session of the Forty-ninth Legislature, and declaring an emergency."

S. B. No. 133, A bill to be entitled "An Act appropriating Two Thousand Six Hundred Sixty-six Dollars and

Sixty-six Cents (\$2,666.66) out of the General Revenue to pay the salary of the District Attorney of the Twenty-eighth Judicial District for the term beginning January 1, 1947, and ending August 31, 1947, and declaring an emergency."

S. B. No. 4, A bill to be entitled "An Act making appropriation for an increase in, and supplementing, the amounts of money set out and appropriated for the various Eleemosynary and Reformatory Institutions for traveling expenses provided for in House Bill No. 206, Acts of the Regular Session of the Forty-ninth Legislature, beginning with the effective date of this Act and ending on August 31, 1947; so as to limit the traveling expenses of all State employees for meals and lodging at Six Dollars (\$6.00) per day beginning with the effective date of this Act ending August 31, 1947; and declaring an emergency."

S. B. No. 3, A bill to be entitled "An Act making appropriation for an increase in, and supplementing, the amounts of money set out and appropriated for the Judiciary of the State of Texas for traveling expenses provided for in House Bill No. 215, Acts of the Regular Session of the Forty-ninth Legislature, beginning with the effective date of this Act and ending on August 31, 1947; so as to limit the traveling expenses of all State employees for meals and lodging at Five Dollars (\$5.00) per day beginning with the effective date of this Act and ending August 31, 1947; and declaring an emergency."

S. B. No. 21, A bill to be entitled "An Act amending Section 2 of Article 3, Senate Bill 167, Acts of the Regular Session, 49th Legislature, relating to state aid to public schools, providing for a supplement to the salary of teachers in equalization aid schools for the last four months of the school year 1946-1947; repealing all laws in conflict therewith and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act making appropriation for an increase in, and supplementing, the amounts of money set out and appropriated for the various Educational Institutions for traveling expenses provided for in House Bill No. 173, Acts of the Regular Session of the Forty-ninth Legislature, beginning with the

effective date of this Act and ending on August 31, 1947; and amending subsection (6) of the General Provisions of House Bill No. 173, Acts of the Regular Session of the Forty-ninth Legislature, so as to limit the traveling expenses of all State employees for meals and lodging at Six Dollars (\$6.00) per day beginning with the effective date of this Act and ending August 31, 1947; and declaring an emergency."

S. B. No. 6, A bill to be entitled "An Act making appropriation for an increase in salaries of State officials and State employees for the period beginning with the effective date of this Act and ending on August 31, 1947, supplementing the salaries designated and/or provided for in House Bill No. 215 of the Regular Session of the Forty-ninth Legislature, and declaring an emergency."

C. S. S. B. No. 44, "An Act making an appropriation out of any moneys in the General Revenue Fund in the State Treasury, not otherwise appropriated, to supplement the regular appropriation to the State Department of Education for the benefit of the Main Office, so that said department may be able to maintain administration of school lunch funds, inspection of school plants of this State for safety and design, for secretarial and clerical hire, contingent expense, equipment and manchine; etc., and declaring an emergency."

S. B. No. 37, A bill to be entitled "An Act to amend Article 2, Section 2, Senate Bill No. 167, Acts of the 49th Legislature, relative to filing date of applications; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Adjournment

On motion of Senator Lane, the Senate, at 11:30 o'clock a. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

The following remarks made to the Senate on February 11, 1947, by Senator Keith F. Kelly of Tarrant County, were ordered printed in the Journal:

"Mr. President, Members of the

Senate, I want to speak on what borders on personal privilege, but since I have been advised by some of the older members that I should not speak on personal privilege unless I am personally offended, and since I am not actually offended, I should merely like to make some observations.

"I have sat here quietly, as befits a new member, and tried to behave myself. Through several roll calls, I have sat quietly and heard mispronounced, the name of a famous man.

"Gentlemen of the Senate:

"A distinguished lawyer, soldier and statesman died in Parker County in 1858. Prior to his death he not only served his nation and his state as a distinguished soldier, but also served the Republic of Texas in its Second Congress and the State of Texas in its Third and Fourth Legislatures.

"He was born in Tennessee; served as an officer under General Jackson at the Battle of New Orleans; then, like many of his illustrious fellow citizens, came to Texas in 1835, recognizing the good to be gained thereby.

"After helping Texas gain her independence from Mexico, he served in the Second Texas Congress as Representative from Red River County.

"He joined the Texas Rangers and advanced to the rank of Brigadier General in 1841 and led successful attacks on the Indians living on Village Creek in my home county.

"He represented Bowie County in the annexation convention in 1845 and served in the Third and Fourth Texas Legislatures as Representative from Limestone and Navarro Counties.

"He died in Parker County in 1858, and his remains were returned to his home in Ellis County.

"The citizens of my home county so revered his name that it was chosen as the name of our county; and his memory was so loved that in 1928, his remains were re-entered in a cemetery in Fort Worth in our home county.

"A man who has served his state and so many of her counties so well is due the honor of having his name pronounced the way it is pronounced in the county which was named for him so that his services might be remembered forever.

"His name is frequently mispronounced by misguided persons who mean no offense to his memory, and, such practice should cease.

"I'm sure that we will want to properly rever his memory. We can only do that properly if we correctly pronounce his name. The gentleman of whom I have been speaking is the Honorable Edward H. TARRant, for whom was named my home county—Tarrant County."

EIGHTEENTH DAY

(Thursday, February 13, 1947)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Senator Aikin.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Strauss
Hardeman	Taylor
Harris	Tynan
Hazlewood	Vick
Jones	Weinert
Kelly of Tarrant	Winfield
Lane	York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

Leaves of Absence Granted

Senator Kelley of Hidalgo was granted leave of absence for today on account of illness on motion of Senator Winfield.

Senator Ramsey was granted leave of absence for today on account of important business on motion of Senator Morris.

Senators Knight and Stewart were granted leave of absence for today on account of illness on motion of Senator Phillips.

Reports of Standing Committees

Senator Bullock submitted the following reports:

Austin, Texas,
February 13, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate

Bill No. 158, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Austin, Texas,
February 13, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 159, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Austin, Texas,
February 13, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 175, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Austin, Texas,
February 13, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 176, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Austin, Texas,
February 13, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on Education, to whom was referred Senate Bill No. 199, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BULLOCK, Chairman.

Senator Lane submitted the following reports: